



PTO/SB/08A/B (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	2	Attorney Docket Number	31894-199326
-------	---	----	---	------------------------	--------------

Complete if Known

Application Number	10/827,309
Filing Date	April 20, 2004
First Named Inventor	Michael ZEMEL
Art Unit	3622
Examiner Name	Daniel LASTRA
Attorney Docket Number	31894-199326

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	5,484,623	01/16/1996	McLean	
	A2	5,855,949	01/05/1999	McLean	
	A3	4,298,601	11/03/1981	Howard	
	A4	5,683,725	11/04/1997	Malik, et al.	
	A5	4,833,128	05/23/1989	Solomon, et al.	
	A6	5,739,106	04/14/1998	Rink et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	B1	WO 99/11254	03/11/1999	Vorster		
	B2	JP 10-066513	03/10/1998	Yoshio		
	B3	JP 09-173019	07/08/1997	Yuji		
	B4	JP 07-147935	06/13/1995	Tokutsugu		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	BINGZHONG XUE, et al., "The agouti gene product inhibits lipolysis in human adipocytes via a Ca ²⁺ -dependent mechanism", The FASEB Journal, volume 12, pgs 1391-1396, October 1998.	
	C2	CATHERINE B. CHAN, et al., "Overexpression of Uncoupling Protein 2 Inhibits Glucose-Stimulated Insulin Secretion From Rat Islets", Diabetes, volume 48, pages 1-5, July 1999.	
	C3	EJ MICHAUD, et al., "Obesity and the Adipocyte", Journal of Endocrinology, 1997, volume 155, pgs 207-209, published in Great Britain.	
	C4	HANG SHI, et al., "Role of Intracellular Calcium in Human Adipocyte Differentiation", Physiol Genomics, volume 3, pgs. 75-82, 2000 (article published online before print)	
	C5	J.H. KIM, et al., "Agouti Regulation of Intracellular Calcium: Role of Melanocortin Receptors", The American Physiological Society, volume 35, pgs E379-384, 1997.	
	C6	JUDITH COOK, et al., "The Contribution Made by School Milk to the Nutrition of Primary Schoolchildren", British Medical Journal, 1975, volume 34, pgs. 91-103, London	
	C7	LEWIS LANDSBERG, M.D., "Weight Reduction and Obesity", Clin. And Exper. Hypertension, 1999, volume 21(5&6), pgs. 763-768	
	C8	MICHAEL B. ZEMEL, et al., "Agouti Regulation of Intracellular Calcium: Role in the Insulin Resistance of Viable Yellow Mice", Proc. Natl. Acad. Science, volume 92, pgs. 4733-4737, May 1995.	

Examiner Signature	Date Considered
-----------------------	--------------------

Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	10/827,309
				Filing Date	April 20, 2004
				First Named Inventor	Michael ZEMEL
				Art Unit	3622
				Examiner Name	Daniel LASTRA
Sheet	2	of	2	Attorney Docket Number	31894-199326

	C9	NATIONAL DAIRY COUNCIL, "Study Heralds the Pwer of Lowfat Dairy Foods in Helping Control Body Fat and Helping Reduce the Risk of Obesity", press release, November 17, 1999.	
	C10	ROBERT C. KLESGES, PhD, et al., "Predictors of Milk Consumption in a Population of 17-to-35-Year-Old Military Personnel", Journal of The American Dietetic Association, July 1999, volume 99, number 7, pgs. 821-838, publisher - Debra McBride.	
	C11	SCOTT ACKLEY, et al., "Dairy Products, Calcium, and Blood Pressure", The American Journal of Clinical Nutrition, volume 38, pgs. 457-461, September 1983.	
	C12	Y. HATA, M YAMAMOTO, M. OHNI, K. NAKAJIMA, Y. NAKAMURA and T. TAKANO, "A Placebo-Controlled Study of the Effect of Sour Milk on Blood Pressure in Hypertensive Subjects", Am J Clin Nutr, 1996;64,pp. 767-771	
	C13	YI-CHIN LIN, MS, PhD, et al., "Dairy Calcium is Related to Changes in Body Composition During a Two-year Exercise Intervention in Young Women", Journal of the American College of Nutrition, 2000, volume 19, no.6, pgs. 754-760, published by the American College of Nutrition.	
	C14	Milk in Wikipedia (http://en.wikipedia.org/wiki/Whole_Milk)	
	C15	Dietary Supplement Fact Sheet: Calcium (http://dietary-supplements.info.nih.gov/factsheets/calcium.asp)	
	C16	Ask a Scientist (http://www.newton.dep.anl.gov/askasci/chem99/chem99135.htm)	
	C17	Denke, Margo A., et al. "Short-Term Dietary Calcium Fortification Increases Fecal Saturated Fat Content and Reduces Serum Lipids in Men", Journal of Nutrition Vol. 123, No. 6, June 1993, pp. 1047-1053. Copyright © 1993 by American Society for Nutrition.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.
DC2/913574

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--